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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/766,177	01/19/2001	Terry O'Brien	VLIK.73136	9534

5251 7590 10/22/2004  
SHOOK, HARDY & BACON LLP  
2555 GRAND BLVD  
KANSAS CITY,, MO 64108

EXAMINER

MONESTIME, MACKLY

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 10/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/766,177

Applicant(s)

O'BRIEN, TERRY

Examiner

Mackly Monestime

Art Unit

2676

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 and 9-11 is/are rejected.
- 7) ☒ Claim(s) 7 and 8 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 1-11 are presented for examination

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 6 and 8 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

4. As per claim 6, line recites the limitation of "**a second set frame buffer image data**"; this language is not clear to the examiner since applicant never refers to a first set of frame buffer image data; therefore the claim language is vague and indefinite.

5. Claim 6, line 3 recites the limitation of: "**the first frame buffer image data**"; there is insufficient antecedent basis for this limitation in the claim.

6. As per claim 8, it is also rejected for incorporating the deficiency of its base claim.

#### ***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1-5 and 9 -11 are rejected under 35 U.S.C. 102(b) as being anticipated by Furlan et al Jr. (US Patent No. 6,466,254).

9. As per claims 1, 3-4 and 10, Furlan et al. disclosed the invention as claimed, including a computer system, the system comprising: one or more terminals (Fig. 16A, Items No. 1603 and 1605); and a central server in communication with the one or more terminals (Fig. 16A, Items No. 1607); wherein the central server generates data indicative of a frame buffer for each of the one or more terminals and transmits the frame buffer data to the terminals (col. 10, lines 26-50; col. 19; lines 5-12).

10. As per claim 2, Furlan et al disclosed that the central server is remote from the one or more terminals and is in communication via a network (Fig. 16A, Items No. 1607, 1601).

11. As per claims 5 and 9, Furlan et al disclosed: encoding image data color information (col. 15, lines 44-46) reducing the number of bits representative of pixel color depth in the generated frame buffer image; sending a limited number of bits to the terminal for rendering the graphics; and decoding the reduced bit representation at the terminal (col. 20, lines 19-25; col. 7, lines 60-64; col. 20, lines 54-65).

12. As per claim 11, Furlan et al disclosed that the computer system having a processor, a memory and an operating environment (col. 10, lines 15-17).

13. Claims 1-2 are rejected under 35 U.S.C. 102(e) as being anticipated by Williams Jr. (US Patent No. 6,259,443).

14. As per claim 1, Williams Jr. disclosed the invention as claimed, including a computer system, the system comprising: one or more terminals (Fig. 2, Item No. 22,

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user 1....user n); and a central server in communication with the one or more terminals(Fig. 2, Items No. 20 and 22; user 1....user n); wherein the central server generates data indicative of a frame buffer for each of the one or more terminals and transmits the frame buffer data to the terminals(col. 4, lines 29-35; lines 40-45).

15. As per claim 2, Williams Jr. disclosed that the central server is remote from the one or more terminals and is in communication via a network (Fig. 2, Item No. 21).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Furlan et al in view of Chandler et al (US Patent No. 4,695,883).

16. As per claim 6, Furlan et al did not disclose: generating a second set of frame buffer image data comprising the graphics to be displayed as an update of the first frame buffer image data; determining any changes between first frame buffer image data and the second frame buffer image data; and transmitting the changes to the terminals. However, Chandler et al disclosed: generating a second set of frame buffer image data comprising the graphics to be displayed as an update of the first frame buffer image data; determining any changes between first frame buffer image data and the second frame buffer image data; and transmitting the changes to the terminals (col. 10, lines 59-64). It would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the cited references because doing so would greatly reduce the number of bytes required for transmission, thereby, improve the overall speed of the system by transmitted only changes associated with the difference.

***Allowable Subject Matter***

17. Claims 7 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

18. Claim 8 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

19. The prior art of record fail to teach or suggest individually or in combination a method for generating and displaying graphics on a display screen; wherein the method further comprising the distinct steps of: " wherein an algorithm is applied to inversely relate the rate of display of the frame image data to the resolution of the displayed image, to maintain the quantity of transmitted data" (as per claims 7 and 8). These distinct steps of the present claims invention have not found to be anticipated, suggested or made obvious by the prior art of record, either singularly or in combination.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mackly Monestime whose telephone number is (703)

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305-3855. The examiner can normally be reached on Monday to Thursday from 7:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bella Matthew, can be reached on (703) 308-6829.

**Any response to this action should be mailed to:**

Commissioner of Patent and Trademarks

Washington, D.C. 20231

**or faxed to:**

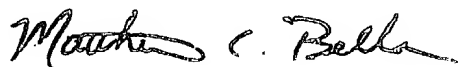
**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

Mackly Monestime

  
Patent Examiner



MATTHEW C. BELLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

October 11, 2004